TL3825

AUSTRALIA

STATEMENT BY MR CHRISTOPHER LANGMAN ON BEHALF OF THE AUSTRALIAN DELEGATION TO THE FIFTY-THIRD SESSION OF THE COMMISSION ON HUMAN RIGHTS

ITEM 10: QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD

GENEVA

10 APRIL 1997 **CHECK AGAINST DELIVERY**

AUSTRALIAN PERMANENT MISSION
56, RUE DE MOILLEBEAU – 1211 GENEVA 19 – TELEPHONE 918 29 00

BOUGAINVILLE CONFLICT BY COMMITTING TO A RENEWED PEACE STRATEGY. AUSTRALIA STANDS READY TO ASSIST IN THAT PROCESS.

MR CHAIRMAN

AUSTRALIA IS DISTURBED BY CONTINUING EVIDENCE OF RELIGIOUS INTOLERANCE IN IRAN AND STRONGLY PROTESTS AGAINST THE RECENT CONFIRMATION BY THE SUPREME COURT OF IRAN OF DEATH SENTENCES FOR APOSTASY AGAINST TWO MEMBERS OF THE BAHA'I FAITH.

AUSTRALIA REMAINS CONCERNED AT THE CONTINUING POLITICAL STALEMATE IN CYPRUS AND THE INCREASE IN TENSIONS ARISING FROM RECENT INCIDENTS ON THE CEASE-FIRE LINE AND FROM THE MILITARY BUILD-UP ON THE ISLAND. WE SUPPORT THE EFFORTS OF THE UNITED NATIONS SECRETARY-GENERAL, ALONG WITH THOSE OF THE UNITED STATES, THE EUROPEAN UNION AND THE COMMONWEALTH, TO FIND A LASTING AND PEACEFUL SOLUTION TO THE CYPRUS QUESTION IN WHICH THE RIGHTS OF ALL CYPRIOT PEOPLE WOULD BE PROTECTED. WE SUPPORT THE INDEPENDENCE, SOVEREIGNTY AND TERRITORIAL INTEGRITY OF THE REPUBLIC OF CYPRUS. A BASIS FOR A JUST AND PEACEFUL SOLUTION IS PROVIDED BY THE "SET OF IDEAS" PROPOSED BY THE UN SECRETARY-GENERAL.

AUSTRALIA ALSO IS DEEPLY CONCERNED ABOUT THE HUMAN RIGHTS SITUATION IN NIGERIA, INCLUDING THE MARCH 1997 CHARGES OF TREASON AGAINST PRO-DEMOCRACY ACTIVISTS. THE INTERNATIONAL COMMUNITY WAS DEEPLY DISTURBED OVER FINDINGS BY THE MARCH 1996 UN FACT-FINDING MISSION CONCERNING THE FLAWED 1995 TRIAL OF KEN SARO-WIWA AND OTHER OGONI SUPPORTERS. IT WILL BE IMPORTANT FOR THE NIGERIAN GOVERNMENT TO ENSURE THAT THOSE CHARGED HAVE EARLY ACCESS TO LEGAL REPRESENTATION OF THEIR CHOICE AND THAT THE LEGAL PROCESS IS CARRIED OUT IN AN OPEN AND TRANSPARENT MANNER. A SIGNIFICANT IMPROVEMENT IN NIGERIA'S OBSERVANCE OF HUMAN RIGHTS WILL BE A LITMUS TEST OF THE GOVERNMENT'S STATED COMMITMENT TO RETURN NIGERIA TO DEMOCRATIC CIVILIAN RULE BY OCTOBER 1998. AUSTRALIA SUPPORTS THE APPOINTMENT OF A SPECIAL RAPPORTEUR TO INVESTIGATE THESE AND OTHER HUMAN RIGHTS ISSUES. AUSTRALIA ALSO SUPPORTS THE PARALLEL ACTIVITIES OF THE COMMONWEALTH MINISTERIAL ACTION GROUP.

AUSTRALIA IS ALSO DISTRESSED BY THE PERSISTENT VIOLENCE IN RWANDA, BURUNDI AND ZAIRE AND THE CONTINUED VIOLATION OF HUMAN

MR CHAIRMAN

AUSTRALIA TAKES THE VIEW THAT THE IMPROVEMENT OF HUMAN RIGHTS OBSERVANCE IS ULTIMATELY THE RESPONSIBILITY OF EVERY COUNTRY AND THAT ACTION AT THE NATIONAL LEVEL IS THE MOST EFFECTIVE MEANS TO ACHIEVE PROGRESS. NONETHELESS, INTERNATIONAL SCRUTINY AND CO-OPERATION PLAY AN IMPORTANT ROLE IN ENCOURAGING STATES TO IMPLEMENT FULLY THEIR OBLIGATIONS UNDER THE UN CHARTER AND INTERNATIONAL HUMAN RIGHTS INSTRUMENTS. MY DELEGATION WISHES TO MAKE BRIEF AND NECESSARILY SELECTIVE COMMENTS ON SOME HUMAN RIGHTS SITUATIONS. IT IS IN A SPIRIT OF SEEKING CONSTRUCTIVELY TO ENCOURAGE COUNTRIES THAT THIS STATEMENT IS MADE.

MR CHAIRMAN

IT IS AGAIN A MATTER OF PARTICULAR REGRET THAT SEVERAL COUNTRIES HAVE CONTINUED TO OBSTRUCT OR OTHERWISE TO INHIBIT THE COMMISSION'S INTERNATIONAL HUMAN RIGHTS MONITORING FUNCTIONS AND RESPONSIBILITIES. AN EXAMPLE WAS THE LAST-MINUTE CANCELLATION OF A PLANNED VISIT TO NIGERIA IN LATE FEBRUARY BY TWO SPECIAL RAPPORTEURS. IRAQ STILL REFUSES TO GRANT A VISA TO SPECIAL RAPPORTEUR VAN DER STOEL SO THAT HE MAY CONTINUE HIS WORK, WHILE IRAN HAS SO FAR DECLINED TO ALLOW SPECIAL REPRESENTATIVE COPITHORNE TO VISIT THAT COUNTRY A SECOND TIME. CUBA'S REFUSAL TO ALLOW SPECIAL RAPPORTEUR GROTH TO ENTER CUBA AND INVESTIGATE INFORMATION RECEIVED ABOUT ALLEGED HUMAN RIGHTS VIOLATIONS IS ALSO A MATTER OF ONGOING CONCERN.

MR CHAIRMAN

AUSTRALIA REMAINS DEEPLY CONCERNED ABOUT THE HIGH LEVEL OF POLITICAL VIOLENCE IN ALGERIA. THE RECENT UPSURGE IN VIOLENCE IS PARTICULARLY WORRYING AND DEMONSTRATES THE URGENT NEED TO FIND A RESOLUTION TO THE CONFLICT AND RESTORE RESPECT FOR HUMAN RIGHTS.

THE AUSTRALIAN GOVERNMENT IS CONCERNED ABOUT THE DETERIORATING HUMAN RIGHTS SITUATION IN BURMA. WE CALL ON THE STATE LAW AND ORDER RESTORATION COUNCIL TO COOPERATE FULLY WITH THE SECRETARY GENERAL'S SPECIAL ENVOY AND THE SPECIAL RAPPORTEUR, AND SEEK TO RESOLVE ITS DIFFERENCES WITH THE POLITICAL OPPOSITION, INCLUDING ETHNIC GROUPS, THROUGH NEGOTIATION AND

IN CONCLUSION, MY DELEGATION WISHES TO ASSURE THE COMMISSION OF AUSTRALIA'S CONTINUING COMMITMENT TO WORKING CONSTRUCTIVELY WITH THE INTERNATIONAL COMMUNITY OF NATIONS, AND WITH INDIVIDUAL COUNTRIES, IN THE PURSUIT OF EVER HIGHER STANDARDS OF HUMAN RIGHTS OBSERVANCE.